

BEFORE THE BOARD OF OIL, GAS AND MINING
DEPARTMENT OF NATURAL RESOURCES
STATE OF UTAH

FILED

JAN 27 2011

**SECRETARY, BOARD OF
OIL, GAS & MINING**

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IN THE MATTER OF THE REQUEST :
FOR AGENCY ACTION OF BURNELL :
RICH AKA A. BURNELL RICH AND :
SHERRIL RICH, PETITIONERS, TO :
COMPEL MOUNTAIN OIL AND GAS, :
INC. AND HOMELAND GAS AND OIL, :
LTD., RESPONDENTS, TO ACCOUNT :
FOR AND PAY ROYALTIES IN :
ACCORDANCE WITH THE :
PETITIONERS' INTEREST IN :
PRODUCTION FROM THE 1-2B1E :
WELL, LOCATED IN SECTION 2, IN :
TOWNSHIP 2 SOUTH, RANGE 1 EAST, :
USM, UINTAH COUNTY, UTAH. :

ORDER CONCERNING SCHEDULING

Docket No. 2010-015
Cause No. 131-127A

This matter came on for hearing on June 23, 2010, at which time the Board continued the matter without date to permit time for pending challenges to an existing Communitization Agreement before the Bureau of Land Management and Bureau of Indian Affairs to be resolved. The Board expects that once this occurs, the Petitioners will appear before the Board to prosecute their claims, or will take some other action to resolve this matter.

At the June 23, 2010 hearing, Respondents committed to depositing the disputed funds into an interest-bearing escrow account as required under Utah Code Ann. §40-6-9(3)(b).

In order to ensure that some action is taken on the above-captioned matter, the Board directs Petitioners to appear before the Board at its regularly-scheduled August 24, 2011 hearing to update the Board on the status of the Communitization Agreement and to

inform the Board of Petitioner's intentions with respect to the above-captioned claims. If some other action is taken before that date, the requirement to appear at the August 24, 2011 hearing may be removed.

ISSUED this 27 day of January, 2011.

STATE OF UTAH
BOARD OF OIL, GAS AND MINING

A handwritten signature in cursive script that reads "Douglas E. Johnson".

By _____
Douglas E. Johnson, Chairman

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the foregoing ORDER CONCERNING SCHEDULING for Docket No. 2010-015, Cause No. 131-127A to be mailed with postage prepaid, this 14th day of February, 2011, to the following:

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